

**REMARKS/ARGUMENTS**

This is in response to Office Action dated June 2, 2009.

The Examiner rejected claims 1-2 and 4-7 under 35 USC § 102(b) as being anticipated by FR 2 656 813. The Examiner stated in the Office Action that FR 2 656 813 provides a plurality of removable containers (page 3, line 2 of the detailed action). However, the Examiner has not pointed to any particular teaching in the French reference that the containers are in fact individually removable. In particular, there is no apparent teaching that the Examiner has pointed to that the top container containing filtration media is separately removable from the apparatus (i.e. removable by itself from the apparatus). Accordingly, the Applicant respectfully submits that for this reason, claim 1 is allowable over FR 2 656 813.

In the Office Action, the Examiner included a reproduction of Figure 15 from this patent application. As evident by Figure 15, units 78, 79, 80 and 81 are enclosed within an exterior housing. In particular, wing nuts are provided at the top to secure an upper member, which defines a top member overlying unit 78. In order to remove unit 78, it would be necessary to, at a minimum, undue the wing nuts to remove unit 77 and 78, if the disclosure indicates that those units are in fact separately removable, which is not admitted. In contrast, the water treatment apparatus of the present invention utilizes a plurality of containers containing sand, which are arranged in sequence starting with a top container and at least one lower container. The containers are not surrounded by an exterior housing (see for example for Figure 1) of the instant application. Accordingly, if or when it is necessary to either replace the sand in the top container or to clean the sand in the top container, then a user may remove the top container. No exterior housing must be dismantled to permit such replacement or cleaning.

By this response, the Applicant has amended claim 1 to include the limitations of claim 5 therein. Claim 5 has accordingly been cancelled. In addition, claim 1 has also been amended to specify that the filtration member has an absence of a housing enclosing the top container. For these reasons, it is also respectfully submitted that claim 1 is allowable over FR 2 656 813.

The Examiner rejected claims 1-2 and 4-6 under 35 USC § 102(b) as being anticipated by GP 2,276,330. In the response to arguments on page 7 of the detailed action, the Examiner stated that Applicant had not claimed serial flow through the filtration media in the containers. By this response, the Applicant has amended claim 1 to specify that the water flows sequentially through the sand in the top container and the sand in the lower container. Accordingly, the sequential flow through the filter media is now present in claim 1. For this reason, the Applicant respectfully submits that claim 1 is allowable over the '330 reference.

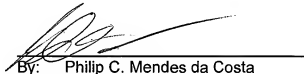
In addition to the foregoing, the Applicant respectfully submits that claim 1 is also allowable as the '330 reference does not teach that the top container is separately removable from the apparatus. In addition, the '330 reference does not show a top container which is not surrounded by a housing. For these reasons, the Applicant also respectfully submits that claim 1 is allowable over the '330 reference.

The Examiner also rejected claims 1-2, 4 and 6-8 under 35 USC § 102(a) as being unpatentable over Holland in view of Gershon et al. and Kool. The Examiner did not reject claim 5 in view of this combination of references. As claim 5 has been incorporated into claim 1, the applicant respectfully submits that claim 1 as amended hereby is patentable over the combination of Holland in view of Gershon et al. and Kool.

In view of the foregoing comment and amendments, favourable consideration of the application is respectfully requested. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Philip C. Mendes da Costa', is written over a horizontal line.

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